

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

POINT RUSTON, LLC, et al.,

Plaintiffs,

v.

PACIFIC NORTHWEST REGIONAL  
COUNCIL OF THE UNITED  
BROTHERHOOD OF CARPENTERS  
AND JOINERS OF AMERICA, et al.,

Defendants.

CASE NO. C09-5232BHS

ORDER ON MOTIONS  
TO SEAL

This matter comes before the Court on the Defendant's ("the Carpenters") unopposed motions to seal (Dkts. 214, 222). The Court has considered the pleadings filed in support of the motions and the remainder of the file and hereby denies the motions to seal as discussed herein.

**I. DISCUSSION**

On January 8, 2010, the parties entered into a stipulated protective agreement that permits them to designate documents as "confidential," subject to court approval. *See* Declaration of Daniel M. Shanely (Dkt. 215), Ex. 1 (copy of stipulated protective agreement). The parties agreed that the documents pertaining to the instant motions to seal (Dkts. 214, 222) should be sealed. The parties argued that these documents presented sensitive information, the production of which would result in harm by revealing "critical

1 confidential research, development and commercial information regarding [Point  
2 Ruston's] finances, loans, marketing, sales, and potential and actual customers including  
3 confidential financial data and confidential data regarding Plaintiff's business  
4 operations." Further, they argued that "redaction of the documents is *not feasible* as an  
5 alternative to sealing the documents given the substantive information in the documents."  
6 Dkts. 222, 214 at 2.

7         On June 8, 2010, the Court ordered the parties to show cause why these motions  
8 should not be denied because, in the Court's view, the documents were not appropriate  
9 for sealing. On June 15, 2010, the parties filed their responses to the show cause order.  
10 Dkts. 301, 302. These responses confirm the Court's conclusion that the documents at  
11 issue should not be sealed. The parties are reminded that this is a public court. The Court  
12 will not seal documents simply because the parties stipulate or do not oppose the sealing  
13 of certain documents. Counsel for the parties should make a thorough review of  
14 documents before moving the Court to seal the same.  
15

16         Because the parties have not expressed adequate reasons for sealing the documents  
17 subject to the instant motions, the Court denies the motions to seal. The Court further  
18 orders the parties to reevaluate their other pending motions to seal and determine whether  
19 client and judicial resources would be better served by removing those motions from the  
20 Court's docket. *See, e.g.*, Dkts. 254, 266, 271, 275. Should the parties remain steadfast in  
21 their position to seal these other documents, they are further instructed to file  
22 supplemental briefing to provide adequate reasons for sealing such documents on a  
23 document-by-document basis, as opposed to the boilerplate language used in the instant  
24 and pending motions.  
25  
26  
27  
28

**II. ORDER**

The Court hereby **ORDERS** that the parties' motions to seal (Dkts. 214, 222) are **DENIED** for failure to articulate an appropriate reason to seal the documents at issue.

DATED this 21<sup>st</sup> day of June, 2010.



BENJAMIN H. SETTLE  
United States District Judge